

Fallen Heroes Flag Act of 2016

[Public Law 114–156]

[As Amended Through P.L. 117–328, Enacted December 29, 2022]

【Currency: This publication is a compilation of the text of Public Law 114-156. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To provide Capitol-flown flags to the immediate family of firefighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [2 U.S.C. 1801 note] SHORT TITLE.

This Act may be cited as the “Fallen Heroes Flag Act of 2016”.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Capitol-flown flag” means a flag of the United States flown over the Capitol in honor of the deceased individual for whom the flag is requested;

(2) the terms “chaplain”, “firefighter”, “law enforcement officer”, “member of a rescue squad or ambulance crew”, and “public agency” have the meanings given such terms in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b);

(3) the term “immediate family member”, with respect to an individual, means—

(A) the spouse, parent, brother, sister, or child of the individual or a person to whom the individual stands in loco parentis; or

(B) any other person related to the individual by blood or marriage;

(4) the term “public safety officer” means an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, as a firefighter, or as a chaplain; and

(5) the term “Representative” includes a Delegate or Resident Commissioner to the Congress.

SEC. 3. [2 U.S.C. 1881a] PROVIDING CAPITOL-FLOWN FLAGS FOR FAMILIES OF FALLEN HEROES.

(a) **IN GENERAL.**—At the request of an immediate family member of a firefighter, law enforcement officer, member of a rescue squad or ambulance crew, or public safety officer who died in the line of duty, the Representative or Senator of the family may provide to the family a Capitol-flown flag, together with the certificate described in subsection (c).

(b) **NO COST TO FAMILY.**—A Capitol-flown flag provided under this section shall be provided at no cost to the family.

(c) **CERTIFICATE.**—The certificate described in this subsection is a certificate which is signed by the Speaker of the House of Representatives and the Representative, or the President pro tempore of the Senate and the Senator, providing the Capitol-flown flag, as applicable, and which contains an expression of sympathy for the family involved from the House of Representatives or the Senate, as applicable.

SEC. 4. [2 U.S.C. 1881b] REGULATIONS AND PROCEDURES.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Architect of the Capitol shall issue regulations for carrying out this Act, including regulations to establish procedures (including any appropriate forms, guidelines, and accompanying certificates) for requesting a Capitol-flown flag.

(b) **REVIEW.**—The regulations issued under subsection (a) shall take effect upon approval by the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

SEC. 5. [2 U.S.C. 1881c] AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each of fiscal years 2017 through 2028 such sums as may be necessary to carry out this Act, to be derived from amounts appropriated in each such fiscal year for the operation of the Architect of the Capitol, except that the aggregate amount appropriated to carry out this Act for all such fiscal years may not exceed \$40,000.

SEC. 6. [2 U.S.C. 1881d] EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act, except that a Capitol-flown flag may not be provided under section 3 until the regulations issued under section 4(a) take effect in accordance with section 4(b).